

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. §§ 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.08 D, Closed Area No. 33, Searsport, promulgated on August 11, 2004, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.08 D, Closed Area No. 33, Searsport

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Searsport north of a line beginning at Moose Point, extending east to the south tip of Sears Island; AND west of a line beginning at a red painted post located 2500 ft from the northwest end of the causeway to Sears Island, on the west shore of Kidder Point, extending south to an unnamed point of land on the west shore of Sears Island located 2500 ft from the southwest end of the causeway.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: September 10, 2004

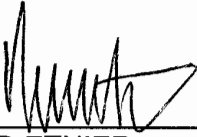
AGENCY CONTACT PERSON: Amy M. Fitzpatrick 633-9554
Department of Marine Resources
194 McKown Point Road
West Boothbay Harbor, Maine 04575

BANGOR DAILY NEWS
September 15, 2004

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.08 D, Closed Area No. 33, Searsport, promulgated on August 11, 2004 and replaces it with a new regulation. This new regulation is an administrative change and does not open or close any shellfish areas. It redescribes the existing closure.

Department personnel have determined that the closed area is subject to intermittent microbiological pollution, which poses a threat to public health.



DAVID ETNIER
DEPUTY COMMISSIONER



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

C33 Searsport

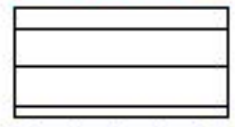
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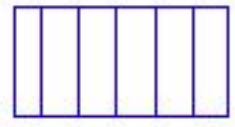
2004 Shellfish Classifications



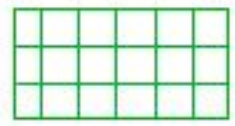
Prohibited



Restricted



Conditionally Approved



Conditionally Restricted

Searsport

Kidder
Point

Sears
Island

Moose
Point

There may be other closures in this map area.

0.7 0 0.7 1.4 Miles

